

AMENDMENT

It is respectfully requested that the application be amended without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows.

IN THE CLAIMS:

Kindly amend the claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

B1
1. (Currently amended) A topical pharmaceutical composition comprising ~~at least one N-methyl-D-aspartate (NMDA) receptor antagonist~~ ketamine and ~~at least one analgesic that functions through an opiate receptor~~ morphine and a pharmaceutically acceptable topical excipient which provides delivery of the ketamine and morphine to peripheral opiate receptors and not to central opiate receptors.

Sub C1
2. (Canceled)

3. (Canceled)

4. (Withdrawn)

5. (Canceled)

6. (Canceled)

7. (Original) The topical pharmaceutical composition according to claim 1 further comprising a local anesthetic.

B1
Cont

8. (Original) The topical pharmaceutical composition according to claim 7, wherein the local anesthetic is selected from the group consisting of lidocaine, bupivacaine, mepivacaine, ropivacaine, tetracaine and benzocaine.

Sub
C
Cont

9. (Currently Amended) A method of providing peripheral analgesia and not central or systemic analgesia to a mammal comprising ~~topical administration of~~ topically administering a tolerance-attenuating ~~or preventing~~ dose of ~~at least one NMDA receptor antagonist~~ ketamine prior to, concurrently with, or following ~~topical administration of at least one analgesic~~ topically administering morphine that functions through an opiate receptor.

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Withdrawn)

14. (Currently Amended) The method according to claim 9, wherein ~~the NMDA receptor antagonist~~ ketamine is administered in a dose of about 0.1 % to about 5%, by weight, of total weight of ketamine and morphine

B' Contd
Sub C' Contd

15. (Currently Amended) A method of providing tolerance attenuating analgesia to a mammal with preexisting tolerance to an analgesic comprising ~~topical administration of~~ topically administering an effective tolerance-reversing attenuating, peripherally and not centrally or systemically, analgesic dose of at least one NMDA receptor antagonist ketamine concurrently or following topical or systemic administration of at least one analgesic topically administering morphine that functions through an opiate receptor.

16. (Currently Amended) A pharmaceutical tolerance-~~inhibiting~~ attenuating analgesic kit comprising:

(a) a topical or systemic pharmaceutical composition comprising ~~at least one analgesic~~ morphine that functions through an opiate receptor; and

(b) a topical pharmaceutical composition comprising ~~at least one a tolerance-inhibiting attenuating, NMDA receptor antagonist~~ peripherally but not centrally or systemically analgesic dose, of ketamine.

17. (Withdrawn)

18. (Canceled)